



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,779	11/14/2001	Terrell Jones	043474/257910	3140
826	7590	09/05/2007	EXAMINER	
ALSTON & BIRD LLP BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000			AL HASHEMI, SANA A	
		ART UNIT	PAPER NUMBER	
		2164		
		MAIL DATE	DELIVERY MODE	
		09/05/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

---

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES**

**MAILED**

Application Number: 09/990,779

Filing Date: November 14, 2001

Appellant(s): JONES ET AL.

SEP 05 2007

**Technology Center 2100**

---

Andrew T. Spence  
For Appellant

**EXAMINER'S ANSWER**

This is in response to the appeal brief filed May 16, 2007 appealing from the Office action mailed September 19, 2005.

**(1) Real Party in Interest**

A statement identifying by name the real party in interest is contained in the brief.

**(2) Related Appeals and Interferences**

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

**(3) Status of Claims**

The statement of the status of claims contained in the brief is correct.

**(4) Status of Amendments After Final**

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

**(5) Summary of Claimed Subject Matter**

The summary of claimed subject matter contained in the brief is correct.

**(6) Grounds of Rejection to be Reviewed on Appeal**

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

**(7) Claims Appendix**

The copy of the appealed claims contained in the Appendix to the brief is correct.

**(8) Evidence Relied Upon**

### **(9) Grounds of Rejection**

The following ground(s) of rejection are applicable to the appealed claims:

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-45 are rejected under 35 U.S.C. 102(e) as being unpatentable over Vance et al (US Patent No. 6,442,526).

Regarding Claims 1, 7, 32, 37, and 41, Vance discloses a method for processing a query of a travel database, comprising:

receiving a selected arrival location and a selected departure location (Fig. 14C, orientation and destination, Vance);  
finding a set of desirable fares between the arrival location and the departure location (Fig. 14D, Flight list, Vance);  
constructing possible itineraries between the arrival location and the departure location associated with the desirable fares (Col. 5, lines 31-33, Vance);

applying a set of rules to the possible itineraries (Col. 8, lines 53-57, Vance); querying an availability portion of the travel database for available travel units based upon the applied set of rules and the possible itineraries (Fig. 14D, status, Vance); and displaying the available travel units in at least a portion of a calendar of a calendar-based user interface (Fig. 14D, 372, Vance).

Regarding Claims 2, 8, and 33, Vance discloses a method wherein the calendar-based user interface displays applicability data and availability data simultaneously (Fig. 14D, 372, Vance).

Regarding Claims 3, and 9, Vance discloses a method wherein applicability data comprises an indication of whether a travel unit is allowed on a pre-specified day based on the set of rules (Col. 7, and 8, lines 65-67, and 1-25, respectively, Vance).

Regarding Claims 4, 10, 34, and 35, Vance discloses a method wherein the availability data comprises an indication of whether a travel unit is at least one of (1) available for sale and (2) sold out (Fig. 14D, status, Vance).

Regarding Claims 5, and 11, Vance discloses a method wherein the calendar-based user interface comprises a display of at least a portion of a calendar (Fig. 14E, 376, Vance).

Regarding Claims 6, 12, and 36, Vance discloses a method wherein the display further includes user-selectable hyperlinks for selecting a desired travel date (Fig. 14C, Date and Time, Vance).

Regarding Claim 13, Vance discloses a calendar-based user interface for displaying query results from a database containing travel data comprising:

a calendar showing a plurality of days corresponding to the query; an availability indicator for each of the plurality of days showing available itineraries relating to the query (Fig. 14D, 372, Vance); and

an applicability indicator for each of the plurality of days showing itineraries relating to the query which apply based on a set of rules and restrictions from travel providers (Fig. 14D, Detailed Itinerary, Vance).

Regarding Claims 14, and 17, Vance discloses a user interface wherein the availability indicator comprises a shaded day within the calendar for indicating whether a travel unit is available on the shaded day (Fig. 14E, 376, Vance).

Regarding Claims 15, 18, and 40, Vance discloses a user interface wherein the availability indicator comprises an availability icon associated with a day within the calendar for indicating whether a travel unit is available on the associated day (Fig. 14E, 374, Vance).

Regarding Claims 16, and 19 Vance discloses a user interface wherein the availability indicator comprises a user-selectable hyperlink associated with a day within the calendar for indicating whether a travel unit is available on the associated day (Col. 11, lines 44-56, Vance).

Regarding Claims 20, 25, 26, and 31, Vance discloses a method for administering an availability portion of a relational travel database, comprising:

receiving an availability message from a first travel provider (Fig. 14G, flight list, Vance);

analyzing the availability message to determine one or more affected travel segments (Fig. 14Q, Original Reservation, Vance);

querying a schedule portion of the relational travel database for the one or more affected travel segments ( Fig. 14Q, Alternate Reservation, Vance); and

writing a record to an availability portion of the relational database based on a status portion of the availability message if the one or more affected travel segments are found in the schedule portion of the relational database ( Fig. 14Q, Trip Activity Log, Vance).

Regarding Claims 21, and 27, Vance discloses a method further comprising: initializing the relational travel database by processing a snapshot of existing availability messages at a predetermined time into the availability portion of the relational travel database (Fig. 14Q, 406, Vance).

Regarding Claims 22, and 28, Vance discloses a method further comprising:  
placing the availability message in a queue corresponding to the first travel provider ( Fig. 14R, 408, Vance).

Regarding Claims 23, and 29, Vance discloses a method further comprising:  
processing the availability message corresponding to the first travel provider in parallel with an additional availability message corresponding to a second travel provider (Fig. 14S, 374, Vance).

Regarding Claims 24, and 30, Vance discloses a method further comprising:  
adding the availability message to an alternative processing queue if the one or more affected travel segments are not found in the schedule portion of the relational database (column 13, lines 54-64, Vance).

Regarding Claim 38, Vance discloses a method further comprises a lowest fare between the arrival location and the departure location (Fig. 14C, Vance).

Regarding Claim 39, and 45, Vance discloses a method further comprising:

Applying a set of rules to the possible itineraries (Fig. 14E, Vance);

Wherein the querying step comprises querying the availability portion further based upon the applied set of rules (Fig. 14C, Vance, where the step of allowing users to select specific options is applying a set of rules to the query).

Regarding Claim 42, Vance discloses a method wherein said determining step comprises:

constructing possible itineraries between the arrival location and the departure location

associated with the desirable fare, the possible itineraries being for a plurality of days of at least one month (Fig. 14D, Vance);

querying an availability portion of the travel database for available travel units for at least one day of the at least one month based upon the possible itineraries (Fig. 14E, Vance); and

displaying in a calendar the dates that the desired fare is available (Fig. 14E, Vance).

Regarding Claim 43, Vance discloses a method wherein the receiving step comprises receiving a selected arrival location and a selected departure location independent of at least one of a departure date or an arrival date, and wherein the determining step comprise finding a desirable fare and constructing possible itineraries between the arrival location and the departure location for a plurality of at least one of departure dates or arrival dates (Fig. 14D, Vance).

Regarding Claim 44, Vance discloses a method wherein the desirable fare comprises a lowest fare between the arrival location and the departure location (Fig. 14C, Vance).

### **(10) Response to Argument**

Appellant argues that Vance does not disclose the display of possible itineraries with no reference to the fare in a calendar, as is recited in independent Claims 1 and 7. And Vance does not teach or suggest displaying available travel units in a calendar based user interface.

Examiner disagrees. Referring to Fig. 14A, Vance discloses display of itineraries with no reference to the fare in a calendar. Further more Vance at Col. 11, lines 41-44 discloses a system which is drawn to a graphical user interface for trip planning module. Wherein the traveler places a cursor on the new trip icon to energizes the new trip, which corresponds to the claimed limitation.

Appellant argues that Vance does not teach or suggest a user interface including calendar and an availability indicator for each day of the calendar that shown available itineraries to a query.

Examiner disagrees. By refereeing to Fig. 14E the calendar does display an availability indicator for each day of the calendar that shown available itineraries to a query. Further more Vance at Col. 12, lines 28-34, discloses the traveler may create a reservation by pressing the Finish icon and sent it to the travel agency for processing, the traveler may energize yes button in the finish reservation window. The resulting display shows the trip activity log and the calendar with the current travel information.

Appellant argues that Vance fails to disclose a method or apparatus for administrating an availability portion of a relational travel database.

Examiner disagrees. Appellant is arguing the preamble not a limitation cited in the body of the claims, and by referring to Col. 13, lines 37-47, Vance discloses a method of administrating an availability portion of a relational travel database. Further more the applied reference discloses a system as shown in Fig. 14A-14X which was described in part at Col. 11, using the GUI to reserve a flight as claimed, Also Col. 6, lines 39-58, discloses each corporation defines the static table in order to start using the corporate center client server system the system administrator inputs the update travel policy data, the update exception codes data the update projects data, update department information ... etc.

Appellant argues Vance fails to disclose, "receiving an availability message, analyzing the availability message, and writing a record to the availability portion of the relational database".

Examiner disagrees. Vance discloses as shown in Fig. 14G a "relational database displaying a message with the availability after receiving the a request and analyzing the availability and writing a record as Flight List. Further more on Fig. 14H Vance discloses a message of the available flight in the side of the screen along with the calendar. Furthermore as disclosed in Col. 5, lines 18-30, the Vance reference teaching the method of generating a itinerary after analyzing a request and building a message with the requested information.

Appellant argues the Vance fails to disclose a "display of a fare in a calendar".

Art Unit: 2164

Examiner disagrees. As disclosed in Col. 5, the trip request is provided to the user "using the graphical interface and trip-planning shown in Col. 11, lines 41-45 to display information such as "seat preference, special meals, frequent flier," and at Col. 3, lines 44-50, by using the trip-planning accessible with graphical interface using the calendar module to retrieve the fare and booking data as claimed.

**(11) Related Proceeding(s) Appendix**

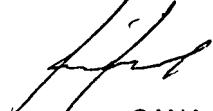
No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

An appeal conference was held on December 16, 2005 with conferees:

Sana Al-Hashemi (Primary Examiner), Charles Rones (SPE), and John Cottingham (SPE)

Respectfully submitted,



SA  
SANA AL-HASHEMI  
PRIMARY EXAMINER

Conferees:

Charles Rones



C. Rones  
CHARLES RONES  
SUPERVISORY PATENT EXAMINER

Art Unit: 2164

Supervisory Patent Examiner

John Cottingham  
Supervisory Patent Examiner



JOHN COTTINGHAM  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100

Andrew T. Spence  
Alston & Bird LLP  
Bank of America Plaza  
101 South Tryon Street, Suite 4000  
Charlotte, NC 28280-4000